

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

RAINBOW BUSINESS SOLUTIONS, doing
business as PRECISION TUNE AUTO
CARE; DIETZ TOWING, INC.; THE
ROSE DRESS, INC.; VOLKER VON
GLASENAPP; JERRY SU; VERENA
BAUMGARTNER; TERRY JORDAN; ERIN
CAMPBELL; and LEWIS BAE,

Plaintiffs,

v.

MERCHANT SERVICES, INC.; NATIONAL
PAYMENT PROCESSING; UNIVERSAL
MERCHANT SERVICES LLC; UNIVERSAL
CARD, INC.; JASON MOORE; NATHAN
JURCZYK; ROBERT PARISI; ERIC
MADURA; FIONA WALSH; ALICYN ROY;
MBF LEASING LLC; NORTHERN
FUNDING, LLC; NORTHERN LEASING
SYSTEMS, INC.; JAY COHEN; LEONARD
MEZEI; SARA KRIEGER; SAM BUONO;
and SKS ASSOCIATES, LLC,

Defendants.

No. C 10-1993 CW

ORDER VACATING
HEARING ON
PLAINTIFFS' MOTION
FOR CLASS
CERTIFICATION

Plaintiffs have filed voluminous exhibits in support of their amended motion for class certification. Plaintiffs' motion cites pages of exhibits that are not included in the electronic docket or in the chambers copies provided to the Court. For example, page 11 of Plaintiffs' Amended Motion cites, among other things, page 10 of the declaration of Alicyn Roy and multiple pages of the declaration of Nathan Jurczyk which were not included in Plaintiffs' filings. It is not clear how many pages are missing from the more than 100 exhibits Plaintiffs filed in support of their motion. The Court is unable to prepare for the hearing or to rule on Plaintiffs' motion without a complete set of exhibits.

1 Plaintiffs are directed to review the motion, opposition and
2 reply and each of the exhibits cited therein to ensure that every
3 page of Plaintiffs' exhibits cited by either party has been filed
4 on the electronic docket and submitted to the Court as chambers
5 copies. Plaintiffs shall meet and confer with Leasing Defendants
6 to stipulate to a new hearing date for Plaintiffs' motion.
7 Plaintiffs shall file and submit their amended exhibits at least
8 two weeks prior to the date of the hearing.

9 The July 25, 2013 hearing date is VACATED. Leasing
10 Defendants' motion to continue the hearing is DENIED as moot.
11 (Docket No. 530). The Court notes that, absent a stipulation from
12 Plaintiffs, it will not delay the hearing on this motion until
13 after final approval of the settlement between Plaintiffs and
14 Merchant Services Defendants.

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16 IT IS SO ORDERED.

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18 Dated: 7/22/2013

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CLAUDIA WILKEN
United States District Judge